

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/713,948	WOLLENBERG ET AL.	
	Examiner	Art Unit	
	Callie E. Shosho	1714	

All Participants:

(1) Callie E. Shosho.

(2) Sarita Kelley.

Status of Application: Allowed

(3) _____.

(4) _____.

Date of Interview: 5 April 2007

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

11, 14, 30, 33, 34, 39, 40, 43, 45-47

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. *Part II above.*
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Callie Shosho
(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:

3/14/07, 3/22/07 -

Ms. Kelley contacted the examiner in order to discuss the present invention and how the present invention utilizes alkylene carbonate to form carbon dioxide and alkylene glycol in situ to make claimed Mannich product. Ms. Kelley also discussed the differences between the present invention and the prior art, especially Smrcka et al. (U.S. 5,370,805) and Wollenberg (U.S. 4,803,002) and noted that there is no disclosure in Smrcka et al. of alkylene carbonate and that while Wollenberg utilizes alkylene carbonate, it is for post-treating Mannich reaction product and not to make the Mannich reaction product. Based on the claims, the examiner stated that it was her position that the combination of Smrcka et al. with Wollenberg would remain applicable against the claims as set forth in the office action mailed 12/7/06. The examiner also suggested that if claim 10 were rewritten in independent form as suggested in paragraph 10 of the office action mailed 12/7/06, that the limitation of claim 10 be combined with the limitation of claim 9 and that the claims be amended such that it is clear that two different promoters are utilized in order to further distinguish the claims from the prior art. The numbering of the claims was discussed in light of the claim objection under 37 CFR 1.126 as set forth in the office action mailed 12/7/06.

4/4/07, 4/5/07 -

The examiner's amendment was agreed to and authorized by Ms. Kelley.

The amendment to claim 11 was made to correct minor typographical error.

The amendment to claim 14 was made to insert word inadvertently deleted from the claim.

The amendment to each of claims 30, 33, and 34 was made to ensure that each claim recites proper antecedent basis.

The amendment to each of claims 39 and 40 was made to avoid potential claim objection under 37 CFR 1.75(c) given the examiner's position that each of claims 39 and 40 failed to further limit the scope of the claim on which they each depend, namely, claim 37 given that claim 39 and claim 40 were each broader than claim 37 with respect to the number of carbon atoms in the branched alkyl group. Support for the amendment to each of claims 39 and 40 is found, for instance, in original claim 37.

The amendment to claim 43 was made to ensure that the claim recites proper Markush language.

The amendment to cancel claims 45-47 was made to avoid potential 35 USC 103 rejection of these claims utilizing Vaughan (U.S. 4,128,328) in combination with Wollenberg (U.S. 4,803,002) given that each of claims 45-47 recite product-by-process language wherein the patentability of the product does not depend on its method of production, given that if the product in a product-by-process claim is the same as or obvious from a product of the prior art the claim is unpatentable even though the prior art was made by a different process, and given the examiner's position that the combination of Vaughan with Wollenberg would meet the presently claimed product. Ms. Kelley noted that she is reserving the right to refile claims 45-47.

The amendment to add claim 58 was made so that applicants could reclaim the subject matter of original claim 7 that was inadvertently not included in the amendment filed 12/7/06.